

26398. Adulteration of blueberries. U. S. v. 31 3/32 crates of Blueberries. Default decree of condemnation and destruction. (F. & D. no. 38090. Sample no. 8691-C.)

This case involved blueberries that were infested with maggots.

On July 18, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 31 $\frac{3}{32}$ crates of blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 16, 1936, by Paul Saladigo, from McAdoo, Pa., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On September 24, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26399. Adulteration of blueberries. U. S. v. 5 Crates of Blueberries. Default decree of condemnation and destruction. (F. & D. no. 38091. Sample no. 8700-C.)

This case involved fresh blueberries that were infested with maggots.

On July 20, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five crates of fresh blueberries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 19, 1936, by J. J. Gulick from Mahanoy City, Pa., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On September 24, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26400. Adulteration of cherries. U. S. v. 88 Baskets of Cherries. Default decree of condemnation and destruction. (F. & D. no. 38102. Sample no. 9461-C.)

This case involved cherries that contained added poisonous ingredients, arsenic and lead.

On July 23, 1936, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 88 baskets of cherries at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about July 21, 1936, by Bert Mallich, from North East, Pa., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous ingredients, arsenic and lead, which might have rendered it injurious to health.

On August 14, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26401. Misbranding of peanut butter. U. S. v. 185 Cases of Peanut Butter. Decree ordering release of product under bond. (F. & D. no. 38103. Sample no. 3256-C.)

This case involved jars of peanut butter that were short in weight.

On July 29, 1936, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 185 cases of peanut butter at San Diego, Calif., alleging that the article had been shipped in interstate commerce on or about June 18, 1936, by Southgate Foods, Inc., from Norfolk, Va., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Lynnhaven Brand Peanut Butter Contents 1 Lb., Southgate Foods, Inc. Norfolk, Va."

The article was alleged to be misbranded in that the statement "Contents 1 Lb.", borne on the label, was false and misleading and tended to deceive and mislead the purchaser when applied to an article that was short in weight; and in that it was food in package form and the quantity of contents was not plainly and conspicuously marked on the outside of the package, since the quantity stated was not correct.

On August 17, 1936, Southgate Foods, Inc., having appeared as claimant, judgment was entered ordering that the product be released under bond conditioned that the short-weight jars be repacked under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

26402. Adulteration of canned sardines. U. S. v. 500 Cases of Sardines. Default decree of condemnation and destruction. (F. & D. no. 38105. Sample nos. 8556-C, 9419-C.)

This case involved canned sardines that contained an added poisonous or deleterious ingredient, lead.

On July 30, 1936, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 500 cases of canned sardines at New York, N. Y., alleging that the article had been shipped from a foreign port and had arrived on or about July 29, 1936, at Brooklyn, N. Y., for the purpose of reshipment to Providence, R. I., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Greatness Brand Skinless and Boneless Portuguese Sardines."

The article was alleged to be adulterated in that it contained an added poisonous or deleterious ingredient, lead, which might have rendered it injurious to health.

On September 14, 1936, no claimant appearing, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26403. Adulteration of crab meat. U. S. v. 1 Barrel of Crab Meat. Default decree of condemnation and destruction. (F. & D. no. 88106. Sample no. 6744-C.)

This case involved crab meat that contained filth.

On July 30, 1936, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of one barrel of crab meat at Washington, D. C., alleging that the article had been shipped in interstate commerce on or about July 27, 1936, by John Illich, from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy animal substance.

On September 30, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26404. Adulteration of fruit spread. U. S. v. 10 Cases of Fruit Spread. Default decree of condemnation and destruction. (F. & D. no. 88109. Sample no. 6352-C.)

This case involved fruit spread that was moldy and decomposed.

On August 3, 1936, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 cases of fruit spread at Milwaukee, Wis., alleging that the article had been shipped in interstate commerce on or about January 20, 1936, by California Fruit Products, Ltd., from Los Angeles, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Sun-Gold Fruit Spread Orange [or "Fig", "Currant", or "Apricot-Pineapple"]."

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed vegetable substance.

On September 16, 1936, no claimant appearing, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

26405. Misbranding of malted milk chocolate-flavored. U. S. v. 130 Cans of Malted Milk Chocolate-Flavored. Default decree of forfeiture and destruction. (F. & D. no. 88110. Sample no. 7049-C.)

This product was represented to be chocolate-flavored malted milk, but in fact consisted mainly of sugar with some cocoa and malted milk present.

On August 5, 1936, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 130 cans of malted milk